

US Rec'd PCT/PTO 16 NOV 2006



Docket No.: 04465/023001  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
David Bastians

Application No.: 10/573,126

Confirmation No.: 4908

Filed: March 23, 2006

Art Unit: N/A

For: ARC LAMP IMPROVEMENTS

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

22511  
PATENT TRADEMARK OFFICE

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed November 7, 2006, Applicant respectfully submits a Combined Declaration and Power of Attorney, an Application Data Sheet, and Part 2 Copy of Notice.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in

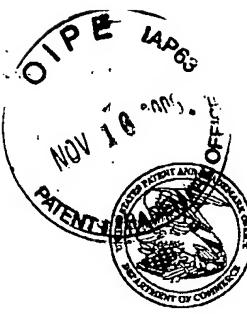
11/22/2006 GFREY1 00000046 10573126  
01 FC:2617 65.00 OP

this application by this firm) to our Deposit Account No. 50-0591, under Order No. 04465/023001.

Dated: November 16, 2006

Respectfully submitted,

By   
Jonathan P. Osha  
Registration No.: 33,986  
OSHA · LIANG LLP  
1221 McKinney St., Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)



11-17-04

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Page 1 of 2

NOV 10 2006

PCT

UNITED STATES PATENT AND TRADEMARK OFFICE

OSHA - LIANG L.L.P.

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/573,126                  | David Bastians        | 04465/023001     |

22511  
OSHA LIANG L.L.P.  
1221 MCKINNEY STREET  
SUITE 2800  
HOUSTON, TX 77010

|                              |                                     |                                       |
|------------------------------|-------------------------------------|---------------------------------------|
| Docketed Action:             |                                     |                                       |
| <input type="checkbox"/> New | <input type="checkbox"/> Previously | <input type="checkbox"/> Non Required |
| Docket Number: 04465/023001  |                                     |                                       |
| Attorney Initials: JPD/JPD   |                                     |                                       |
| Docketing Initials: ADR      |                                     |                                       |

INTERNATIONAL APPLICATION NO.

PCT/AU04/01298

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 09/24/2004       | 09/26/2003    |

CONFIRMATION NO. 4908  
371 FORMALITIES LETTER

\*OC000000021132383\*

Date Mailed: 11/07/2006

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/23/2006
- Copy of the International Search Report filed on 03/23/2006
- Preliminary Amendments filed on 03/23/2006
- Information Disclosure Statements filed on 03/23/2006
- Oath or Declaration filed on 03/23/2006
- Request for Immediate Examination filed on 03/23/2006
- U.S. Basic National Fees filed on 03/23/2006
- Priority Documents filed on 03/23/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web:  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

INDIA L EVANS

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Telephone: (703) 308-9140 EXT 212

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**PART 1 - ATTORNEY/APPLICANT COPY**

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/573,126                  | PCT/AU04/01298                | 04465/023001     |

FORM PCT/DO/EO/905 (371 Formalities Notice)



Application No. (if known): 10/573,126

Attorney Docket No.: 04465/023001

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV881458507US in an envelope addressed to:

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

22511

PATENT TRADEMARK OFFICE

on November 16, 2006  
Date



Signature

Kim Hennessey

Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 228-8600

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)

Fee Transmittal (1 page)

Payment by credit card. Form PTO-2038 is attached (1 page)

Charge \$65.00 to credit card

Response to Notice to File Missing Parts of Application (2 pages)

Copy of Notice (2 pages)

Combined Declaration and Power of Attorney (4 pages)

Supplemental Application Data Sheet (2 pages)

Postcard



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PATENT TRADEMARK OFFICE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

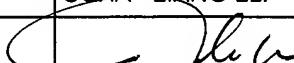
Total Number of Pages in This Submission

|  |                        |                        |
|--|------------------------|------------------------|
|  | Application Number     | 10/573,126-Conf. #4908 |
|  | Filing Date            | March 23, 2006         |
|  | First Named Inventor   | David Bastians         |
|  | Art Unit               | N/A                    |
|  | Examiner Name          | Not Yet Assigned       |
|  | Attorney Docket Number | 04465/023001           |

### ENCLOSURES (Check all that apply)

|  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under<br>37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication<br>to TC<br><input type="checkbox"/> Appeal Communication to Board of<br>Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>Identify below):<br><br>Part 2 Copy of Notice<br>Declaration<br>Return Receipt Postcard |
| Remarks  |  |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | OSHA-LIANG LLP  |          |        |
| Signature    |  |          |        |
| Printed name | Jonathan P. Osha  |          |        |
| Date         | November 16, 2006   | Reg. No. | 33,986 |



22511

PATENT TRADEMARK OFFICE

PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2006

Applicant claims small entity status. See 37 CFR 1.27

|                                |      |       |
|--------------------------------|------|-------|
| <b>TOTAL AMOUNT OF PAYMENT</b> | (\$) | 65.00 |
|--------------------------------|------|-------|

|  |                     |              |
|--|---------------------|--------------|
|  | Attorney Docket No. | 04465/023001 |
|--|---------------------|--------------|

**Complete if Known**

|                      |                        |
|----------------------|------------------------|
| Application Number   | 10/573,126-Conf. #4908 |
| Filing Date          | March 23, 2006         |
| First Named Inventor | David Bastians         |
| Examiner Name        | Not Yet Assigned       |
| Art Unit             | N/A                    |

**METHOD OF PAYMENT** (check all that apply)

Check     Credit Card     Money Order     None     Other (please identify): \_\_\_\_\_  
 Deposit Account    Deposit Account Number: 50-0591    Deposit Account Name: Osha · Liang LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below     Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17     Credit any overpayments

**FEE CALCULATION**
**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| <u>Application Type</u> | <u>FILING FEES</u> |                              | <u>SEARCH FEES</u> |                              | <u>EXAMINATION FEES</u> |                              | <u>Fees Paid (\$)</u> |
|-------------------------|--------------------|------------------------------|--------------------|------------------------------|-------------------------|------------------------------|-----------------------|
|                         | <u>Fee (\$)</u>    | <u>Small Entity Fee (\$)</u> | <u>Fee (\$)</u>    | <u>Small Entity Fee (\$)</u> | <u>Fee (\$)</u>         | <u>Small Entity Fee (\$)</u> |                       |
| Utility                 | 300                | 150                          | 500                | 250                          | 200                     | 100                          |                       |
| Design                  | 200                | 100                          | 100                | 50                           | 130                     | 65                           |                       |
| Plant                   | 200                | 100                          | 300                | 150                          | 160                     | 80                           |                       |
| Reissue                 | 300                | 150                          | 500                | 250                          | 600                     | 300                          |                       |
| Provisional             | 200                | 100                          | 0                  | 0                            | 0                       | 0                            |                       |

**2. EXCESS CLAIM FEES**
Fee Description

Each claim over 20 (including Reissues)

| <u>Small Entity</u> |                 |
|---------------------|-----------------|
| <u>Fee (\$)</u>     | <u>Fee (\$)</u> |
| 50                  | 25              |
| 200                 | 100             |
| 360                 | 180             |

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| <u>Total Claims</u>  | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | <u>Multiple Dependent Claims</u> |                      |
|--|---------------------|-----------------|----------------------|----------------------------------|----------------------|
|  |                     |                 |                      | <u>Fee (\$)</u>                  | <u>Fee Paid (\$)</u> |
| -  | =                   | x               | =                    |                                  |                      |
| HP = highest number of total claims paid for, if greater than 20.      |                     |                 |                      |                                  |                      |
| <u>Indep. Claims</u>   | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |                                  |                      |
| -  | =                   | x               | =                    |                                  |                      |
| HP = highest number of independent claims paid for, if greater than 3. |                     |                 |                      |                                  |                      |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|---|-----------------|----------------------|
| - 100 =             | /50                 | (round up to a whole number) x                          | =               |                      |

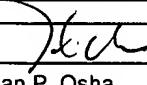
**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2051 Surcharge-Late oath or declaration

Fees Paid (\$)

65.00

| <u>SUBMITTED BY</u> |   | <u>Registration No.<br/>(Attorney/Agent)</u> | <u>Telephone</u>  |
|---------------------|---|--|-------------------|
| Signature           |  | 33,986                                       | (713) 228-8600    |
| Name (Print/Type)   | Jonathan P. Osha  | Date   | November 16, 2006 |